



PTO/SB/01 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**Declaration
Submitted
With Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number 2132.099

First Named Inventor George Jackowski

COMPLETE IF KNOWN

Application Number 09/993,295

Filing Date 11/23/2001

Art Unit 1641

Examiner Name Lisa V. Cook

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MACROGLOBULIN BIOPOLYMER MARKERS INDICATIVE OF INSULIN RESISTANCE

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

11/23/2001

as United States Application Number or PCT International

Application Number

09/993,295

and was amended on (MM/DD/YYYY)

12/10/2004, 04/29/2002,
02/13/2002

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

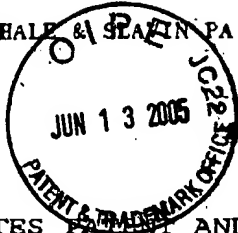
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: 21917 OR <input type="checkbox"/> Correspondence address below			
Name McHale & Slavin, P.A.			
Address 2855 PGA Boulevard			
City Palm Beach Gardens		State Florida	ZIP 33410
Country United States of America	Telephone (561) 625-6575	Fax (561) 625-6572	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) George		Family Name or Surname Jackowski	
Inventor's Signature 		Date April 15 2005	
Residence: City Kettleby	State Ontario	Country Canada	Citizenship Canadian
Mailing Address 17725 Keele Street			
City Kettleby	State Ontario	ZIP L0G 1J0	Country Canada
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) John		Family Name or Surname Marshall	
Inventor's Signature 		Date April 28 2005	
Residence: City Toronto	State Ontario	Country Canada	Citizenship Canadian
Mailing Address 183 Grenadier Road			
City Toronto	State Ontario	ZIP M6R 1R8	Country Canada
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : Jackowski et al.
INVENTION : Inter-Alpha Trypsin Inhibitor
Biopolymer Marker Indicative of
Insulin Resistance
SERIAL NUMBER : 09/993,295
FILING DATE : November 23, 2001
EXAMINER : Cook, Lisa V.
GROUP ART UNIT : 1641
OUR FILE NO. : 2132.099

TO:
Mail Stop: Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR § 1.132

I, Dr. George Jackowski, do hereby declare as follows:

1. I am an inventor in the application entitled "Inter-Alpha Trypsin Inhibitor Biopolymer Marker Indicative of Insulin Resistance", having U.S. Application Serial No. 09/993,295, filed November 23, 2001.

2. There are four biopolymer markers disclosed at page 46 of the specification as originally filed; macroglobulin alpha 2 (SEQ ID NO:1); inter-alpha trypsin inhibitor (SEQ ID NO:2); betain/GABA transport protein (SEQ ID NO:3) and HP AL512706/HP AB051484 (SEQ ID NO:4).

3. SEQ ID NOS:1-4 were subjected to a sequence election requirement in the Office Action mailed on October 6, 2004.

4. Applicants elected SEQ ID NO:2 (inter-alpha trypsin inhibitor) for prosecution on the merits in the Response filed on December 10, 2004.


5. This declaration, including the attached figure, is submitted in order to clarify that the molecular weight of the elected SEQ ID NO:2 is 1811.95 daltons. The value of 1211 daltons, the correct molecular weight of SEQ ID NO:3 (betain/GABA transport protein), was inadvertently assigned to SEQ ID NO:2 at page 46 of the instant specification as originally filed.

6. The graph in the attached figure shows data recorded at the time the experiments described in the instant specification were carried out. Furthermore, both SEQ ID NO:2 (inter-alpha trypsin inhibitor) and SEQ ID NO:3 (betain/GABA transport protein) were disclosed in the specification as originally filed, thus clarification of molecular weight does not constitute the addition of new matter.

The undersigned declares that all statements made herein of his own knowledge are

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

June 1st 2005
Date

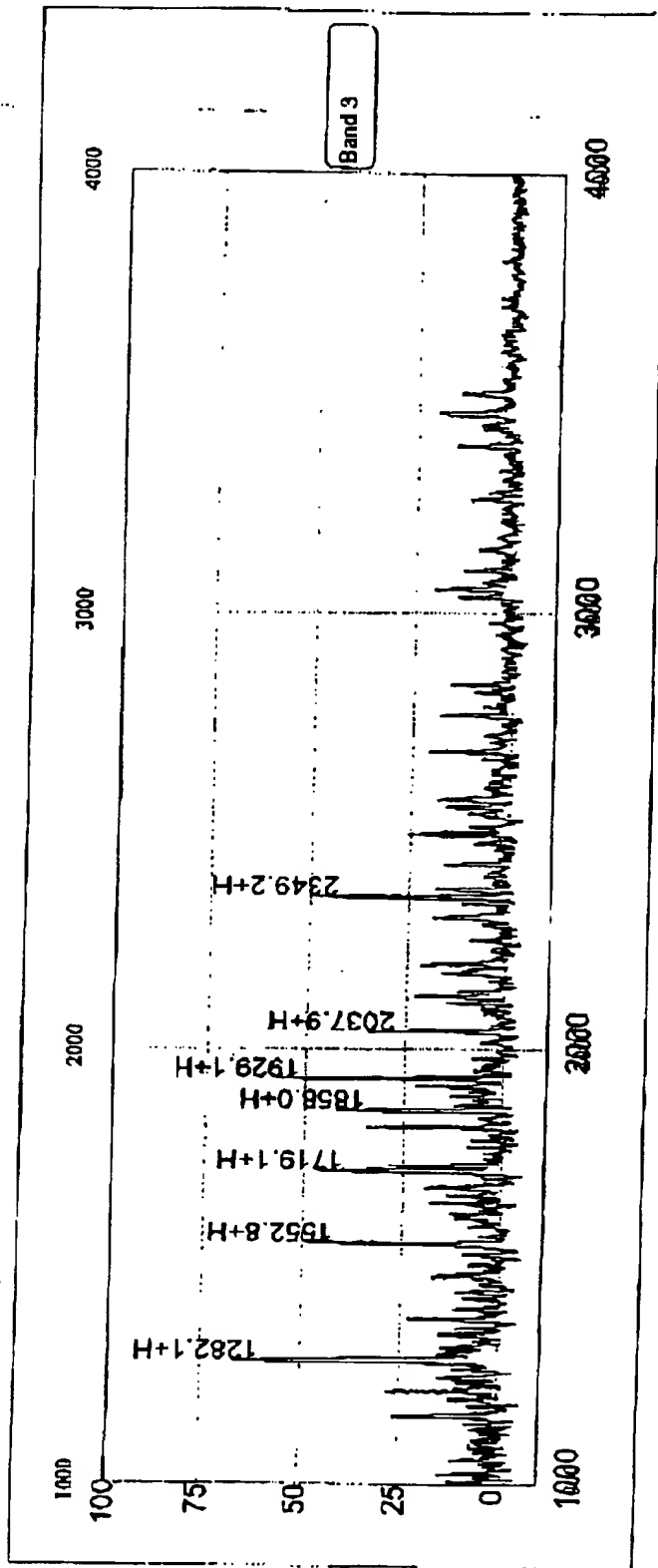

George Jackowski

\\Ns2\SERVER\CLIENT FILES\2100-2199\2132 -Syn-X\2132_000099 - Macroglobulin Biopolymer
Markers\Amendments\2132_099_132Dec.wpd

BEST AVAILABLE COPY

Declaration 2132.099

Trypsin Digested Seldi-TOF Spectra



Identified Ions	MW (Da)	Plasma Type
1208.6112	Possible Markers: KIAA1221, peroxisomal carnitine octanoyl- (trans)ferase (COT)	IR
1211.6	betaine/GABA transport protein BGT-1	IR
1491.74	macroglabin alpha 2	IR
1545.81	macroglabin alpha 2	IR
1748.87	macroglabin alpha 2	IR
1811.95	inter-alpha trypsin inhibitor	IR

Sequence
RLVAVSEPHTEIVRK
KSFEQQTVDGNTIRY